

No. 7089-1Lab-70/24245.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of Messrs Sehgal Puri (P.) Ltd., Faridabad:—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 18 of 1970

between

SHRI TULCHI DUTT, WORKMAN AND THE MANAGEMENT OF M/S SEHGAL PURI (P) LTD.
FARIDABAD

Present.—

Shri Roshan Lal, for the workman.

Shri D. C. Bhardwaj for the management.

AWARD

Shri Tulchi Dutt was working as a Chowkidar in M/s, Sehgal Puri (P) Ltd., Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this tribunal, for adjudication,—*vide* Government Gazette Notification No. 1D/FD 113A/2034, dated 27th January, 1970.

“Whether the termination of services of Shri Tulchi Dutt was justified and in order. If not, to what relief is he entitled?”

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. It is pleaded on behalf of the management that the workman was employed as Chowkidar and his services were terminated on account of certain misconduct. The management were directed to produce the record of the domestic enquiry which is said to have been held against the workman. A number of opportunities were given to the management for the purpose but the record was not produced thereafter the workman was directed to produce his ex-parte evidence and although number of opportunities were given to him but the workman too did not appear. Thus there is no evidence in support of the allegations of the workman that the termination of his services was not justified. It was essential for the workman to have produce some evidence but he has not even care to attend the court.

The management in their written statement have pleaded that the workman is a gainfully employee elsewhere. His absence shows that he is not interested in pursuing his claim for reinstatement and in my opinion the dismissal is not proved to be wrongful nor he is entitled to any relief. I give my award accordingly. No order as to cost.

P. N. THUKRAL,

Presiding Officer,

The 9th August, 1970.

Industrial Tribunal, Haryana,
Faridabad.

No. 1201, dated the 7th August, 1970.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,

Dated the 9th August, 1970

Industrial Tribunal, Haryana,
Faridabad.